

REMARKS

This Amendment and Response is filed in reply to the Office action dated June 14, 2006. Claims 1, 9, 18, 26, 35, 43 and 52 are amended and claims 3, 12, 20, 29, 37, 46 and 54 are cancelled. Accordingly, after entry of this Amendment and Response, claims 1-2, 4-10, 13-19, 21-27, 30-36, 38-44, 47-53 and 55-59 will be pending.

I. Claim Rejections Under 35 U.S.C. § 101

Claims 1-10, 12-27, 29-44 and 46-59 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Specifically, in independent claims 1, 9, 18, 26, 35, 43 and 52, the representation of objects fails to provide concrete steps in producing a practical application of a running program. In response, independent claims 1, 9, 18, 26, 35, and 43 have been amended to include the limitation “providing access to the database of objects to allow application programs implemented in different programming languages to share the objects represented as structured documents,” a practical application of a running program. Independent claim 52 has been amended to include a similar limitation. As amended herein, claims 1, 9, 18, 26, 35, 43 and 52 are now directed toward statutory subject matter in compliance with 35 U.S.C. § 101 because the claimed invention provides access to the database of objects allowing application programs implemented in different programming languages to share the objects. Claims 2, 4-8, 10, 13-17, 19, 21-25, 27, 30-34, 36, 38-42, 44, 47-51, 53 and 55-59 all depend, either directly or indirectly, from independent claims 1, 9, 18, 26, 35, 43 and 52, and are therefore also directed to statutory subject matter.

II. Claim Rejections Under 35 U.S.C. § 103

Claims 1-10, 13-27, 30-44 and 47-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,678,867 to Fong et al. (hereinafter “Fong”). In response, independent claims 9, 26, and 43 have been amended to incorporate the allowable subject matter of claims 12, 29 and 46, respectively, by including the limitation “providing access to the database of objects to allow application programs implemented in different programming languages to share the objects represented as structured documents.” Independent claims 1, 18, 35 and 52 have been amended to include a similar limitation. Therefore, it is respectfully submitted that the independent claims 1, 9, 18, 26, 35, 43 and 52 are in form for allowance and such indication is respectfully requested.

Claims 3, 12, 20, 29, 37, 46 and 54 have been cancelled because they have been incorporated into independent claims 1, 9, 18, 26, 35, 43 and 52, respectively. The remaining rejected claims all depend, directly or indirectly, from one of independent claims 1,

9, 18, 26, 35, 43 and 52. Accordingly, these dependent claims are themselves patentable over Fong for at least the reasons set forth above and such indication is respectfully requested. This statement is made without reference to or waiving the independent bases of patentability within each dependent claim.

III. Allowable Subject Matter

The Examiner is thanked for the indication that claims 12, 29, and 46 would be allowable if written in independent form, including all the limitations of the base claims and any intervening claims. Claims 12, 29, and 46 have been incorporated into the independent claims 9, 26 and 43 from which they depend.

IV. Conclusion

This Amendment is submitted contemporaneously with a petition for a two-month extension of time in accordance with 37 CFR § 1.136(a). Accordingly, please charge Deposit Account No. 04-1415 in the amount of \$450.00, for two-month extension of time fee. The Applicant believes no further fees or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 accordingly.

The Applicant thanks the Examiner for his thorough review of the application. The Applicant respectfully submits the present application, as amended, is in condition for allowance and respectfully requests the issuance of a Notice of Allowability as soon as practicable.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney.

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Respectfully submitted,


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